

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

IN RE:

ANTHONY JOSEPH GRIER

DEBTOR.

**Case No. 18-30555
Chapter 13**

**DEBTOR'S RESPONSE AND OBJECTION TO MOTION FOR RELIEF FROM STAY,
OBJECTION TO MOTION FOR ADEQUATE PROTECTION AND REQUEST FOR A
PRELIMINARY HEARING**

NOW COMES DEBTOR, by and through counsel and hereby responds to the Motion for Relief from Stay filed by Creditor, PHH Mortgage Corporation as servicer for The Bank of New York Mellon Trust Company, National Association fka The Bank of New York Trust Company, N.A. as Successor to JP Morgan Chase Bank N.A., as follows:

1. On or about April 12, 2018, Debtor filed a Chapter 13 bankruptcy petition in the Western District of North Carolina.
2. Debtor included in his filing, a parcel of real property located at 1919 Lakedell Drive, Charlotte, NC ("Property"), with a secured claim owed to Creditor.
3. Debtor's needs this property for a successful reorganization of his estate.
4. Debtor contends that Movant will not suffer irreparable harm and is afforded adequate protection of its interest in the property.

WHEREFORE, Debtor prays the Court as follows:

1. That a hearing be conducted regarding all issues of fact raised by the creditor's Motion and this response hereto;

2. That the Creditor's Motion for Relief from Stay or in the alternative Adequate Protection be denied;
3. That David W. Hands, Attorney for Debtor, be awarded the presumptive non-base fee for defense of this Motion in the amount of \$450.00; and
4. For such other and further relief as the Court may deem appropriate in this matter.

This 13th day of August, 2024.

s/David W. Hands
David W. Hands
NC Bar No: 28560
3558 N. Davidson Street
Charlotte, NC 28205
(704) 248-7976
Attorney for Debtor
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Debtor's Response to Motion for Relief from Stay was served upon the following individuals by depositing copies of same in an official depository of the United States Mail, first-class, postage pre-paid, and addressed as follows or via electronic mail:

United States Clerk of Bankruptcy Court
401 West Trade Street
Charlotte, NC 28202

U.S. Bankruptcy Case Administrator
402 West Trade Street, Suite 200
Charlotte, NC 28202

Jenny P. Holman
Chapter 13 Trustee
5970 Fairview Road, Ste 650
Charlotte, NC 28210

Anthony Grier
5426 Dolphin Lane
Charlotte NC 28215

William P. Harris
LOGS Legal Group LLP
10130 Perimeter Parkway Ste 400
Charlotte NC 28216
LOGSECF@logs.com

This 13th day of August, 2024.

s/David W. Hands
David W. Hands
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3558 N. Davidson Street
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